

**BANNER & WITCOFF, LTD.**
INTELLECTUAL PROPERTY LAW601 SW SECOND AVENUE, #1900
PORTLAND, OREGON 97204TEL: 503.425.6800
FAX: 503.425.6801
www.bannerwitcoff.com**FACSIMILE TRANSMITTAL SHEET**

To: Examiner M. Patterson	FROM: Byron S. Kuzara	RECEIVED CENTRAL FAX CENTER
COMPANY: USPTO	DATE: January 19, 2006	JAN 19 2006
FAX NUMBER: 571-273-8300	TOTAL NO. OF PAGES: 3	
RE: Serial No. 10/791,289	OUR REFERENCE NO.: 005127.00260	

If you do not receive all page(s) or have any problems receiving this transmission, please call:

NAME:	Lesa Wolman	PHONE:	503-425-6800
--------------	-------------	---------------	--------------

COMMENTS:

IMPORTANT/CONFIDENTIAL: This message is intended only for the use of the individual or entity to whom it is addressed. This message contains information from the law firm of BANNER & WITCOFF, LTD. which may be privileged, confidential or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, retention, archiving, or copying of the communication is strictly prohibited. If you have received this communication in error, please notify us immediately at our telephone number listed above. We will be happy to arrange for the return of this message to our offices at no cost to you.

CHICAGO

WASHINGTON, D.C.

BOSTON

PORTLAND,
OR

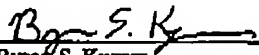
RECEIVED
CENTRAL FAX CENTER

JAN 19 2006

Certificate Of Transmission

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office at telephone number (571) 273-8300 on January 19, 2006.

Respectfully submitted,


By: Byron S. Kuzara
Registration Number 51,255
Banner & Witcoff, Ltd.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
)	Art Unit: 3728
Bhupesh DUA, et al.)	
)	Examiner: Patterson, M.
Serial Number 10/791,289)	
)	Attorney Reference: 005127.00260
Filed: March 3, 2004)	
)	
For: AN ARTICLE OF FOOTWEAR)	
HAVING A TEXTILE UPPER)	

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
U.S. Patent and Trademark Office
Alexandria, VA 22313

Sir:

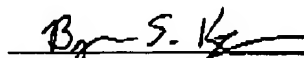
In response to the Restriction Requirement mailed January 5, 2006, the Applicants elect claims 1-49 and 65-67, which are drawn to an article of footwear. Claims 50-64 are, therefore, withdrawn from consideration. This election is made without traverse. The Applicants reserve the right, however, to file a divisional application to the non-elected claims.

This Response is being timely filed by facsimile transmission on January 19, 2006. Should fees or an extension of time be deemed necessary for consideration of this Response, such fees or extension are hereby requested and the Commissioner is authorized to charge deposit account number 19-0733 for the payment of the requisite fee. If anything further is

desirable to place the application in even better form for allowance, the Examiner is respectfully requested to telephone the undersigned representative at (503) 425-6800.

Examination on the merits is respectfully awaited.

Respectfully submitted,

By: 
Byron S. Kuzara
Registration No. 51,255

Banner & Witcoff, Ltd.
1001 G Street, N.W.
Washington, D.C. 20001-4597
Telephone: (202) 824-3000

Dated: January 19, 2006